

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**SUMMONS FOR JUDGMENT NO.382 OF 2005
IN
SUMMARY SUIT NO.1178 OF 2005**

Mr.Himatlal C. Valia (H.U.F.) ..Plaintiff.

Vs.

M/s.Inter Asian Chemicals
Industries & Ors. ..Defendants.

Mr.Sunil Chaturvedi for the Plaintiff.

Mr.T.H.Bhatt for Defendant Nos.1, 2, 4 and 5.

Defendant No.3 present in person.

**CORAM : S.J. VAZIFDAR, J.
DATED : 20TH DECEMBER, 2005**

P.C. :

The learned counsel states that they have authority to agree to the disputes and differences between the Plaintiff and Defendant No.1 in the suit being referred to the sole arbitration of Smt. Justice K.K. Baam (Retrd.).

2. Accordingly, all the disputes and differences between the Plaintiff and Defendant No.1 in the suit are, with the consent of the parties, referred to the sole arbitration of Smt. Justice K.K. Baam (Retd.).

3. It is further agreed that the learned arbitrator shall have summary powers but, shall give reasons for the award.

4. It is clarified that it will be open to the Plaintiffs, if they succeed, to execute the award, if any, against all the partners of Defendant No.1, including against Defendant No.3 in the event of it being found that Defendant No.3 was a partner of the firm at the relevant time.

5. The suit and the Summons for Judgment are accordingly disposed of in terms of the above.

Refund as per rules.